



Winston H. Hickox
Secretary for
Environmental
Protection

State Water Resources Control Board

Division of Water Rights

1001 I Street, 14th Floor • Sacramento, California 95814 • (916) 341-5300
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 341-5400 • Web Site Address: <http://www.swrcb.ca.gov>
Division of Water Rights: <http://www.waterrights.ca.gov>



Gray Davis
Governor

RENOUNCE OF PETITION REQUESTING CHANGES IN WATER RIGHT PERMITS FOR THE CITY OF UKIAH

Dated: December 24, 2002

NOTICE: The purpose of this notice is to advise interested persons of clarification of the Notice of Petitions dated November 15, 2002 as it relates to the petitions for change in place of use requested by the City of Ukiah. Due to a misinterpretation of the Emergency Interconnection Agreement's (EIA) function by Division of Water Rights (Division) staff, the November 15, 2002 notice inadvertently included a phrase which has now been corrected with this notice.

This notice provides a short summary of the petition and also provides instructions for filling a protest against the requested changes. If you would like additional information relating to the petition, or information relating to the procedure for filing a protest, please call the contact person listed for the specific petition. The Division's public notices may also be viewed and printed from its web-site, www.waterrights.ca.gov.

GENERAL INFORMATION: Persons diverting water from a stream must, in most cases, obtain a water right permit issued by the State Water Resources Control Board (SWRCB), in accordance with the provisions of the California Water Code. (People can divert water from a stream under riparian rights or rights initialed prior to 1914.) A water right permit issued by the SWRCB defines the:

- Stream or river from which water is diverted;
- Amount of water that can be diverted;
- Season of the year during which the water can be diverted;
- Point of diversion from the stream;
- Place of use of the diverted water; and
- Purpose of use.

In addition, the water right permit includes a date for applying the water to beneficial use. Any party having a water right permit must submit a petition and receive approval from the SWRCB to change the place of use, purpose of use, or point of diversion, or to request and extension of time to make full beneficial use of the water. The SWRCB must consider the potential impacts to other water users that could be affected by the proposed change and must also consider the potential environmental impacts that would result from the proposed change. The SWRCB must comply with the requirements of the California Environmental Quality Act prior to approval of any petition.

PROCEDURES FOR FILING PROTESTS: Any person may file a protest against the changes proposed in a petition. However, protests filed in response to this notice must be postmarked or received in the Division's office at the address listed below, by 4:00 pm on the 30th day after the date of this notice.

A protest should be submitted on the standard protest form that is available from the Division and can be printed from the Division's web-site www.waterrights.ca.gov/forms/. Due to the constraints of the noticing period, protestants may file protests, etc., by FAX. However, an original copy of all materials must be received, for the SWRCB to consider your protest. The protest should be submitted to:

State Water Resources Control Board
Division of Water Rights
c/o Greg Wilson
P.O. Box 2000
Sacramento, CA 95812-2000

Additionally, a copy of the protest must also be sent to the petitioner. SWRCB will respond to all protests within 90 day of the date of this notice.

A protest may be based on any of the factors listed below:

Injury to existing water rights;
Has an adverse environmental impact;
Is not in the public interest;
Is contrary to law; or
Is not within the jurisdiction of the SWRCB.

All protests must clearly describe the objections to approval of the petition and the factual basis for those objections. For example, if the objection is based on injury to existing water rights, the protest must describe the specific injury to the existing water right that would result from approval of the changes proposed by the petition. In addition, the party claiming injury to prior water rights must provide specific information that describes the basis of existing right, the date the use began, the quantity of water use, the purpose of use, and the place of use. Protest based on environmental impacts, public interest, legality, or jurisdictional issues must be accompanied by a statement of facts supporting the basis of the protest. If sufficient information is not submitted, the SWRCB may reject the protest or request that the protestant submit additional information. The Divisions will not accept protests that are directed against the underlying water right, rather than the change proposed by the petition.

The SWRCB may grant an extension of time to file a protest, for good cause. A request for an extension of time must be submitted in a timely manner, must specify the additional time required, and must state why additional time is needed to file the protest. A pamphlet is available that provides additional information relating to water rights and the procedures for filing protests. Please contact the person listed below if you would like a copy of the pamphlet or protest forms.

RESOLUTION OF PROTESTS: The petitioner and protestant are encouraged to meet and discuss methods that could be used to resolve the protest. If the protest can not be resolved, SWRCB staff may conduct a field investigation with all interested parties or may hold a water right hearing.

CONTACT PERSON: Please contact the staff person designated under the petition of interest, if you would like additional information regarding the petition, protests, information pamphlets, protest forms, or to request an extension of time in which to file a protest.

DESCRIPTION OF PETITION:

APPLICATION 15704

PERMIT 12952

ISSUED ON October 24, 1961

Permittee: City of Ukiah
c/o Wagner & Bonsignore
444 North 3rd Street, Suite 325
Sacramento, CA 95758

Source: Russian River (Underflow) tributary to Pacific Ocean

Points of Diversion: (1) SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 16, T15N, R12W, MDB&M
(2) SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 17, T15N, R12W, MDB&M
(3) SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 16, T15N, R12W, MDB&M

Purposes of Use: Municipal

Direct Diversion
Rate and Season of
Diversion: 20 cubic feet per second from January 1 to December 31 of each year

Place of Use: Within and near the City of Ukiah as shown on the map on file with the SWRCB.

Existing Project: The existing project involves the pumping of groundwater, classified as Russian River Underflow, for Municipal use within and near the City of Ukiah. On occasion, the City supplies water to Millview and Willow County Water Districts through Emergency Interconnection Agreements (EIA) which are instituted whenever an emergency situation such as fire, contamination, or equipment failure occurs. Millview County Water District, in addition to its own needs, also supplies a portion of its water to Calpella County Water District. Unfortunately, there are no provisions within the City of Ukiah's water rights to allow them to transfer EIA water outside of the authorized place of use.

The City of Ukiah has thus filed a petition to expand its Place of Use to incorporate the service areas of Millview, Willow, and Calpella County Water Districts within its permit.

Petition for Change: Permittee has petitioned to change the place of use under Permit 12952 to incorporate the service areas of Millview, Willow, and Calpella County Water Districts. The proposed place of use is described as follows:

Within the boundaries of the City of Ukiah, and Millview, Willow, and Calpella County Water Districts being within the following projected sections 15, 16, 17, 20, 21, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 of T16N, R12W, MDB&M; sections 1 and 12, T15N, R13W, MDB&M; sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 of T15N, R12W, MDB&M; and Projected sections 3, 4, 5, 6, 7, 8, 9, 10, 15, and 16 of T14N, R12W, MDB&M as shown on map on file with the SWRCB.

Environmental Document: An environmental document has not yet been prepared for the action described in this notice.

Related Applications: License 6793 (Application 15721) Willow County Water District
Permit 13935 (Application 17232) Willow County Water District
License 492 (Application 3601) Millview County Water District
Permit 13963 (Application 17587) Millview County Water District

Contact Person: Brian Coats at (916) 341-5311

BRCoats:dclledesma:12-23-02
U:\APPDRV\Bcoats\PetNotFin1202.doc

MAILED 12-24-02